IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF MARCH
TWO THOUSAND AND SEVEN
:PRESENT:

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY
WRIT PETITION NO : 5321 of 2007

Between:

1 V.R.S. Project Right Main Canal Water Users Association, Makkuva Village and
Mandal, Vizianagaram District, Rep. by its President Mavudi Dharnma Rao, S/o.
Late Swamy Naidu, R/o. Makkuva Village and Mandal, Vizianagaram District.

2 V.R.S. Project Right Main Canal Water Users Association, Kannapeta,Makkuva
Village and Mandal, Vizianagaram District, Rep. by its President Payala Babiji
Rao, S/o. Chinnam Naidu, R/o. Kannampeta Village, Makkuva Mandal, Vizianagaram District.

3 V.R.S. Project 12 L Right Main Canal Water Users Association, Venkata Bhairipuram, Makkuva Mandal, Vizianagaram District, Rep. by its President Marada Sanjeevu Naidu, S/o. Balarama Swamy Naidu, R/o. Venkata Bhairipuram Village, Makkuva Mandal, Vizianagaram District.

4 V.R.S. Project Right Main Canal Water Users Association, Kariripally village,
Makkuva Mandal, Vizianagaram District, Rep. by its President Penta Sanjevi
Naidu, S/o. Late Vasudeva Naidu, R/o. Kaviripalli Village, Makkuva Mandal, Vizianagaram District.

5 V.R.S. Project Right Main Canal Water Users Association, Kona (V),Makkuva
Mandal, Vizianagaram District, Rep. by its President Reddi Krishnam Naidu, S/o.
Simhachalam, R/o. Kona Village, Makkuva Mandal, Vizianagaram District.

6 V.R.S. Project Right Main Canal Water Users Association, Sambara
Village,Makkuva Mandal, Vizianagaram District Rep. by its President Ganji Kasi
Naidu, S/o. Late Krishna Murthy, R/o. Sambara Village, Makkuva Mandal, Vizianagaram District.

..... Petitioners

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary to Government,
Irrigation & CAD (Medium Irrigation.I) Department, Andhra Pradesh, Secretariat, Hyderabad.

2 The Chief Engineer, Medium Irrigation, Jalsoudha Buildings, Erramanzil,

Hyderabad
- 500 082.

3 The Executive Engineer, Irrigation Division, Parvathipuram, Vizianagaranm District.

4 The Superintending Engineer, Irrigation Circle, Bobbili, Vizianagaram District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of first respondent in not issuing letter of credit for making payment to the petitioners Association for the works executed by them as per administrative sanction issued by the first respondent in G.O.Ms.No. 47, Irrigation & CAD (Medium Irrigation. I) Department, dated 6-6-2006 though the works have been executed more than four months back as arbitrary and illegal and consequently direct the first respondent to release the letter of credit to the works executed under G.O.Ms.No. 47, Irrigation & CAD (Medium Irrigation. I) Department, dated 6-6-2006 and make the payment.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of SRI S. SATYAM REDDY, Advocate for the Petitioners and of the Govt. Pleader for Irrigation for the respondents, the Court made the following:

ORDER: Learned Government Pleader for Irrigation submits that the proposals for release of the amounts in favour of the petitioners-Associations have been submitted by the concerned authority on 22-02-2007, to the Chief Engineer, second respondent herein.

The petitioners contend that unless the amounts are released before the expiry of the financial year 2006-07, it would be difficult for them to get necessary funds.

Hence, the second respondent is directed to ensure that the bills payable to the petitioners are processed, before the closure of the financial year 2006-07.

Post the writ petition 'for admission' on 10-04-2007 in the motion list.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Principal Secretary to Govt., Government of Andhra Pradesh,
Irrigation & CAD (Medium Irrigation.I) Department, Andhra Pradesh, Secretariat,
Hyderabad.

2 The Chief Engineer, Medium Irrigation, Jalsoudha Buildings, Erramanzil,
Hyderabad
- 500 082.

3 The Executive Engineer, Irrigation Division, Parvathipuram,
Vizianagaranm District.

4 The Superintending Engineer, Irrigation Circle, Bobbili,
Vizianagaram District. (1 to 4 by RPAD)

5.2 CCs to the Govt. Pleader for Irrigation, High court of A.P.Hyd. (O.U.T)

6. One C.C.to Sri S.Satyam Reddy, Advocate. (OPUC)

7. One spare copy.

Bsr

HIGH COURT

LNR.J.

DATED 26-03-2007

POST THE W.P. FOR ADMISSION ON
10-04-2007 IN THE M.L.

ORDER

W.P.NO. 5321 OF 2007

DIRECTION

BSR
DT. 29-3-2007

HIGH COURT

LNR.J.

DATED 26-03-2007

POST THE W.P. FOR ADMISSION ON
10-04-2007 IN THE M.L.

ORDER

W.P.NO. 5321 OF 2007

DIRECTION